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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/197,993	11/23/1998	STEVEN EUGENE LOVETTE		1952

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EXAMINER

NGUYEN, DUSTIN

ART UNIT	PAPER NUMBER
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2156

DATE MAILED: 09/05/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/197,993

Applicant(s)

LOVETTE, STEVEN EUGENE

Examiner

Dustin Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 November 1998.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 – 25 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1 – 9, 11 – 19, and 21 - 25 are rejected under 35 U.S.C. 102(b) as being anticipated by Gosling (U.S. Patent Number 5630066).

4. As per claim 1, Gosling teaches the method for detecting corruption associated with a stack, the method comprising the steps of:

the inserting a quantity of information adjacent to the stack in the storage device, the quantity of information having an initial state (i.e. virtual stack) (e.g. col 9, line 61-col 10, line 16);

inspecting the quantity of information so as to identify any deviation from the initial state (e.g. col 10, line 34-46), and thereby detect corruption associated with the stack in the storage device (e.g. col 12, line 43-59).

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5. As per claim 2, Gosling teaches the initial state of the quantity of information represents a bit pattern (i.e. data types) (e.g. col 10, line 17-23 and col 5, line 51-55).

6. As per claim 3, Gosling shows the initial state of the quantity of information represents a processor readable address (e.g. col 11, line 48-58).

7. As per claim 4, Gosling shows the initial state of the quantity of information represents a processor readable instruction (e.g. col 11, line 1-10).

8. As per claim 5, Gosling teaches the step of adding data to the stack after inserting the quantity of information adjacent to the stack in the storage device (e.g. col 13, line 49-56).

9. As per claim 6, Gosling shows the step of recording (i.e. updating stack counter) the push operation after identifying any deviation from the initial state (e.g. col 13, line 57-59).

10. As per claim 7, Gosling shows the step of removing data from the stack after inserting the quantity of information adjacent to the stack in the storage device (e.g. col 13, line 16-27).

11. As per claim 8, Gosling discloses the step of recording the pop operation after identifying any deviation from the initial state (e.g. col 13, line 27-28).

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12. As per claim 9, Gosling discloses the step of restoring the quantity of information to the initial state (i.e. no pushing or popping data) after identifying any deviation from the initial state (e.g. col 13, line 9-15 and col 13, line 41-48).

13. As per claims 11-19, they are rejected for similar reasons as stated above. Furthermore, Gosling discloses the use of elements and functions of the above being performed in a system (e.g. claims 10 and 11), which include a processor (e.g. Figure 3, item 257) and a storage medium for storing instructions that are readable by the processor (e.g. Figure 3, item 260).

14. As per claims 21-25, they are rejected for similar reasons as stated above. Furthermore, Gosling discloses the use of elements and functions of the above being performed in a computer program (e.g. col 9, line 34-40).

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gosling (US Patent No 5630066) in view of Krause et al. (U.S. Patent Number 6070198).

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17. As per claim 10, Gosling does not disclose the step of inserting the quantity of information at the top or bottom of the stack. Krause discloses the step of inserting the quantity of information includes:

inserting a first quantity of information (i.e. encryption) adjacent to a top of the stack (i.e. TCP/IP stack) in the storage device (e.g. Figure 4, item 42), and

inserting a second quantity of information adjacent to a bottom of the stack in the storage device (e.g. Figure 5, item 168)

At the time the invention was made, it would have been obvious to a person skill in the art to combine Gosling and Krause, because it is a necessary step to keep the integrity and to secure the information for communicating on the internet.

18. As per claim 20, it is rejected for similar reasons stated above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dustin Nguyen whose telephone number is (703) 305-5321. The examiner can normally be reached on Monday – Friday (8:00 – 5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alvin Oberley can be reached on (703) 305-9716.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directly to the receptionist whose telephone number is (703) 305-3900.

Dustin Nguyen

DN
08/28/02

John A. Follansbee

JOHN A. FOLLANSBEE
PRIMARY EXAMINER

JOHN A. FOLLANSBEE
PRIMARY EXAMINER